

FILED

UNITED STATES COURT OF APPEALS

OCT 02 2013

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JAMAL KANJ,

Petitioner,

v.

UNITED STATES DEPARTMENT OF
LABOR ADMINISTRATIVE REVIEW
BOARD and THE VIEJAS BAND OF
KUMEYAAY INDIANS,

Respondents.

No. 12-74170

LABR No. 12-002
NO DISTRICT,

ORDER

The court is in receipt of the parties' stipulation to remand to effectuate settlement.

Pursuant to the terms of the parties' stipulation filed herein, this petition for review is remanded to Respondent Administrative Review Board ("ARB") of the United States Department of Labor, without prejudice to reinstatement in the event the ARB declines to approve the parties' settlement as set forth in said stipulation.

Reinstatement shall be by notice filed by any party in this court and served on the other parties and the Circuit Mediator within 28 days of the ARB's denying the approval of the parties' settlement. In the absence of the parties' filing a timely motion for reinstatement, each party shall bear its own fees and cost on appeal.

A copy of this order shall serve as and for the mandate of this court.

FOR THE COURT:

By: Peter W. Sherwood
Circuit Mediator

PWS/Mediation